

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION
WASHINGTON, D.C. 20405



MAR 6 1972

Mr. Harold Weisberg
Coq d'Or Press
Route 8
Frederick, Maryland 21701

Dear Mr. Weisberg:

This is in reply to your letter of February 15, 1972.

The following information concerns the specific requests and documents listed in your letter:

1. Time for response. The provisions of 5 U.S.C. 552 concern procedures for making records of the Executive Branch of the Government available to the public and do not require the furnishing of information by letter. The National Archives, however, tries to respond to normal, uncomplicated reference letters within five days after receipt by the branch responsible for the reply. Replies to your letters have been delayed at times by the need for review of the replies by our Office of General Counsel, by the number and length of your letters, and by the pressure of other business. You can assist us in responding to your requests by making your letters as brief and specific as possible.
2. Memorandum of Transfer. Your appeal concerning this document has already been denied by the Assistant Administrator for Administration by his letter to you dated December 8, 1970.
3. Pictures of Exhibits 393-5. Your requests for these pictures were answered by my letter to you of September 17, 1970. The National Archives does not have a copy of a letter from Mr. Burke Marshall to you in which he "offered no objection" to providing pictures you had requested. Your request for prints made from the original FBI negatives, which the National Archives does not have, should be addressed to the Attorney General of the United States.
4. Refusal of copy of GSA-family contract. As stated in regard to item 1, the furnishing of information by letter is not required by the provisions of 5 U.S.C. 552. You were, however, given an explanation of the circumstances concerning the publication of the agreement between the General Services Administration and the Kennedy family representative by the former Archivist of the United States, Dr. Robert H. Bahner, in his letter to you of January 30, 1968, of which a copy is enclosed.

5. Refusal to replace and provide copies of missing public information. The provisions of 5 U.S.C. 552 do not require an agency to obtain records or copies of records that it does not have from another agency in order to make them available to the public. The National Archives refers requests for copies of records that it does not have to other agencies when this seems appropriate, but this practice has not seemed advisable in regard to your requests because of the frequency of such requests from you. You have been repeatedly informed, for example, that the National Archives does not have the original FBI negatives for Warren Commission exhibits. We should not be expected to refer a copy of your four page letter to the Department of Justice merely because it contains a request for prints made from the original FBI negatives.

6. Executive sessions. As stated in my letter to you dated February 8, 1972, the transcripts of executive sessions are under further review by the Office of General Counsel to determine whether recent developments in the state of the law are such as to require release of portions of the documents previously withheld. You will be notified of the decision as soon as possible.

Sincerely,

(Signed) Richard Q. Vawter

Richard Q. Vawter
Director of Information

Enclosures

cc:
ALI Official
LR - General Counsel
N - Archives
ALI Reading

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L concurred in draft 2/29/72
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David C. Fisher x4948